

Serial No. 09/824,324
Response dated September 2, 2003
Reply to Office Action of 04/02/03

Docket No. 5000-4867

REMARKS

Claims 4, 6-15 and 17-23 are pending in this application. Claims 1-3, 5, 16 and 24 have been canceled without prejudice or disclaimer. Applicants thank the Examiner for indication that the claims 20 and 21 are in condition for allowance. Applicants respectfully request reconsideration of the above-identified application, in view of the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 4, 6, 8, 10-18, 22 and 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Weidely (US Patent No. 1,489,180). Applicants respectfully submit that independent claims 10, 22, and 23, as well as claims dependent therefrom, are not anticipated by the Weidely patent, in view of the following remarks.

1. Independent claim 10 recites, *inter alia*:

a protrusion that is formed on the inner end face to reinforce the strength of the end wall against the pressure applied to the outer end face, wherein the protrusion includes a plurality of ribs.

Applicants respectfully submit that the Weidely patent simply does not teach or suggest the forming a protrusion on the inner end face of the end wall, wherein the protrusion includes a plurality of ribs.

Figs. 1 and 2, clearly illustrate that the Weidely patent teaches, “a drain lip is provided at the bottom edge of the hollow or skirt portion of the piston...” (See, Col. 1, lines 31-33). The skirt portion simply extends from the right angular edge 5 through lip 3 into a tapered outer face 7. (See, Col. 3, lines 1-14.) Moreover, FIG. 2 clearly illustrates an end face 6 that is

Serial No. 09/824,324
Response dated September 2, 2003
Reply to Office Action of 04/02/03

Docket No. 5000-4867

substantially flat. However, the Weidely patent does not teach or suggest a protrusion formed on the inner face, nor does Weidely teach or suggest that the protrusion includes a plurality of ribs.

In direct contrast to Weidely, independent claim 10 recites, *inter alia*, “a protrusion that is formed on the inner end face to reinforce the strength of the end wall against the pressure applied to the outer end face, wherein the protrusion includes a plurality of ribs.” Weidely’s flat inner edge 6 simply does not anticipate a protrusion formed on the inner face, wherein the protrusion includes a plurality of ribs.

Accordingly, Applicants submit that independent claim 10 is not anticipated by the Weidely patent. Furthermore, for at least this reason, Applicants submit that claims 11-15 and 17-19, which directly or indirectly depend on independent claim 10 are also patentably distinct from the Weidely patent. Accordingly, Applicants respectfully request withdrawal of this ground of rejection.

2. Independent claims 22 and 23 recite *inter alia*, “wherein the inner end face includes an annular concave surface, which is located about the axis of the piston, and a convex surface, wherein the convex surface is located radially inside and is joined to the annular concave surface....” Applicants respectfully submit that the Weidely patent simply does not teach or suggest a hollow piston comprising an end wall with an inner face including both an annular concave surface, as well as a convex surface, as recited in independent claims 22 and 23.

As discussed above, FIG. 2 in the Weidely patent clearly illustrates a substantially flat end face 6. Simply showing a compressor that includes a flat end face 6, as in the Weidely patent does not anticipate an inner face including both an annular concave surface and a convex

Serial No. 09/824,324
Response dated September 2, 2003
Reply to Office Action of 04/02/03

Docket No. 5000-4867

surface, as is explicitly recited in independent claims 22 and 23 and illustrated, for example in FIGs. 2 and 3 of the instant application.

Accordingly, for at least this reason, Applicants submit that independent claims 22 and 23 are not anticipated by the Weidely patent. Similarly, since claims 4 and 6-9 are directly or indirectly dependent on independent claims 22 and 23, they are also not anticipated by the Weidely patent. Therefore, Applicants respectfully request withdrawal of this ground of rejection.

Claim Rejections – 35 U.S.C. § 103

Claims 9 and 19 were rejected under 35 U.S.C. § 103, as being unpatentable over Weidely, in view of Gruetjen (US Patent No. 2,539,903). Applicants respectfully request reconsideration in view of the following remarks.

Applicants respectfully submit that claims 9 and 19 are patentably distinct from the cited references. Specifically, Applicants submit Gruetjen does not remedy the deficiencies detailed above regarding independent claims 10 and 23. Accordingly, since claims 9 and 19 are dependent on independent claims 23 and 10, respectively, Applicants submit that the pending claims are patentably distinct from the cited references, either alone or in combination. Therefore, Applicants respectfully request withdrawal of this ground of rejection.

Serial No. 09/824,324
Response dated September 2, 2003
Reply to Office Action of 04/02/03

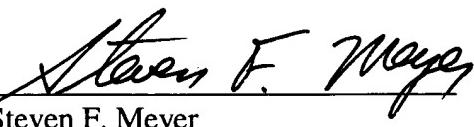
Docket No. 5000-4867

CONCLUSION

It is now believed that all pending claims are in condition for allowance. In view of these remarks, an early and favorable reconsideration is respectfully requested.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: September 2, 2003
By: 
Steven F. Meyer
Registration No. 35,613

Correspondence Address:
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154
(212) 758-4800 (telephone)
(212) 751-6849 (facsimile)